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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/319,324	06/03/1999	GREG ALAN KRANAWETTER	RCA88228	2806

7590

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EXAMINER

SENI, BEHROOZ M

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 04/09/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/319,324

Applicant(s)

KRANAWETTER ET AL.

Examiner

Behrooz Senfi

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### ***Response to Amendment***

1. *Applicant's arguments filed Feb 26, 2003 have been fully considered but they are not persuasive.*

### ***Response to remarks:***

*Applicant asserts (Paper No. 9, pages 3 – 5) that "in order to anticipate a claim, under 102(e) the reference must teach every element of the claim. Therefore, there is no basis for finding claim 1 to be unpatentable over Parks reference under 102(e). This argument is groundless and without merit, Park's reference patent (US 5,675,424) as a whole discloses each and every element as claimed.*

*Applicant asserts (Paper No. 9, pages 5) that, there is no actual or inherent disclosure in Park's '424 reference regarding the claimed limitation "interleaved data".*

Examiner disagrees; fig. 3 shows De-Multiplexer (De-interleave) 11 and 61, and Multiplexer (interleave) 13 and 63, which are the same as "interleaving unit" as stated in the specification of the present invention (page 5), that "interleaving unit 24 uses a multiplexing technique .....". Furthermore, the technical meaning of Multiplexing is interleaving multiple data streams to one single data stream.

*Applicant asserts (Paper No. 9, pages 6) that, there is simply no "interleaving means for deriving first and second data-streams". Examiner disagrees:*

As stated above the Multiplexing technique serves as an interleaving technique for interleaving the data-streams based on the preferred design.

### ***Claim Rejections - 35 USC § 102***

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2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1 – 15 are rejected under 35 U.S.C. 102(e) as being unpatentable over Park (US 5,675,424) for the same reason as set forth in previous Office Action (Paper no. 7, dated Nov. 18, 2002).

Regarding amended claims 1 and 3, the newly added limitation, "coupling network comprises interleaving means responsive to the data-stream of MPEG ....." reads on fig. 3a -3b, for example; Reduced Image Data is an MPEG encoded Data stream, and Multiplexer (interleave) and De-Multiplexer (De-interleave) is considered as an coupling network for interleaving/de-interleaving the data-streams 12a – 12n, in which data-stream 12a is considered as first and second or third or fourth or etc. and also 12b is considered as third and fourth, and further to 12n as 1<sup>st</sup> and nth and etc.

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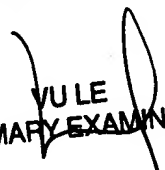
As for newly added limitation "spatially adjacent pixel block component ....." in claim 3, see figs. 1 and 3a – 3b, that shows HDTV/MPEG standard image signal processing, that includes sequential signal processing, therefore the block/pixel block would be process by the neighboring/adjacent pixel block.

As for newly added limitation "multiple data-streams, each having a different predetermined sequence of mutually interleaved pixel block components suitable for either high or reduced data image reproduction mode" in claim 7. Parks '424 fig. 3b, shows multiple data streams and also the whole purpose of dividing the bit-stream to multiple bit-streams, and processing through multiple encoders and decoders are, to make it suitable for high or low(reduced) or middle resolution based on the desired application.

As for newly added limitation "block components having pixel representative information interleaved ....." in claim 13, reads on multiplexing technique, since block components are made of pixels which are interleaved in sequence of data-stream through multiplexing.

B. S. B. J.

4/4/2003



YULE  
PRIMARY EXAMINER